

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF TENNESSEE
MIDDLE DIVISION

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JAN 10 2011

U.S. DISTRICT COURT
MIDDLE DISTRICT OF TENN.

Julie Dietzen

PLAINTIFF,

VS.

CIVIL ACTION NO. To Be Assigned By Clerk

Williamson County Jail
Staff Sergeant Vanden Bosch
Corporal Wiley, Medical
DEFENDANT (S) Staff

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS UNDER
42 U.S.C. § 1983

I. Previous Lawsuits :

A. Have you or any of the other plaintiffs in this lawsuit filed any other lawsuits in the United States district Court for the Middle District of Tennessee, or in any other federal or state court?

☒ Yes

☐ No

B. If you checked the box marked "Yes" above, provide the following information:

1. Parties to this previous lawsuit:

Plaintiffs: Julie Dietzen

Defendants: Penske Truck Rental
Stoney Crockett

2. In what court did you file the previous lawsuit?

Middle Tennessee district

(If you filed the lawsuit in federal court, provide the name of the District. If you filed the lawsuit in state court, provide the name of the state and the county.)

3. What was the case number of the previous lawsuit? 3:10-cv-01130

4. What was the Judge's name to whom the case was assigned? Judge Campbell

5. When did you file the previous lawsuit? Nov. 2010 (Provide the year, if you do not know the exact date.)

6. What was the result of the previous lawsuit? For example, was the case dismissed, appealed, or still pending?

dismissed without prejudice for lack of subject matter jurisdiction

7. When was the previous lawsuit decided by the court? 12-2010 (Provide the year, if you do not know the exact date.)

8. Did the circumstances of the prior lawsuit involve the same facts or circumstances that you are alleging in this lawsuit.

☐ Yes

☒ No

(If you have filed more than prior lawsuit, list the additional lawsuit(s) on a separate sheet of paper, and provide the same information for the additional lawsuit(s).)

II. THE PLAINTIFF'S CURRENT PLACE OF CONFINEMENT (The following information must be provided by each plaintiff.)

A. What is the name and address of the prison or jail in which you are currently incarcerated? Tennessee Prison For Women

3881 Stewarts Ln. Nashville, TN 37218

B. Are the facts of your lawsuit related to your present confinement?

☐ Yes

☒ No

C. If you checked the box marked "No" in question II.B above, provide the name and address of the prison or jail to which the facts of this lawsuit pertain.

Williamson County Jail

408 Century Court

Franklin, TN 37064

D. Do the facts of your lawsuit relate to your confinement in a Tennessee State Prison?

☐ Yes

☒ No

If you checked the box marked "No," proceed to question II.H.

E. If you checked the box marked "Yes" in question II.D. above, have you presented these facts to the prison authorities through the state grievance procedure?

☐ Yes

☐ No

F. If you checked the box marked "Yes" in question II.E. above:

1. What steps did you take?

N/A

2. What was the response of prison authorities? N/A

G. If you checked the box marked "No" in question II.E. above, explain why not.

N/A

H. Do the facts of your lawsuit pertain to your confinement in a detention facility operated by city or county law enforcement agencies (for example, city or county jail, workhouse, etc.)?

☒ Yes

☐ No

I. If you checked the box marked "Yes" in question II.H. above, have you presented these facts to the authorities who operate the detention facility?

☒ Yes

☐ No

J. If you checked the box marked "Yes" in question II.I above:

1. What steps did you take? I spoke to them in person + wrote requests
We, inmates in general, were punished for writing grievances.

2. What was the response of the authorities who run the detention facility?
I was punished; told I shouldn't have come to jail. The few
complaints I wrote on request forms went unanswered.

L. If you checked the box marked "No" in question II.I above, explain why not.

Attach copies of all grievance related materials including, at a minimum, a copy of the grievance you filed on each issue raised in this complaint, the prison's or jail's response to that grievance, and the result of any appeal you took from an initial denial of your grievance.

III. PARTIES TO THIS LAWSUIT

A. Plaintiff(s) bringing this lawsuit:

Name of the first plaintiff:

Julie Dietzen

Prison Id. No. of the first plaintiff:

467390

Address of the first plaintiff:

1W-C15 TPU

3881 Stewarts Ln

Nashville, TN 37218

(Include the name of the institution and mailing address, including the zip code. If you change your address you must notify the Court immediately.)

2. Name of the second plaintiff: N/A

Prison Id. No. of the second plaintiff: N/A

Address of the second plaintiff: N/A

~~(Include the name of the institution and mailing address, including the zip code. If you change your address you must notify the Court immediately.)~~

B. Defendant(s) against whom this lawsuit is being brought:

1. Name of the first defendant: Williamson County Jail

Place of employment of the first defendant: Williamson County Jail

The first defendant's address: 408 Century Ct. Franklin, TN 37064

Named in official capacity? ☒ Yes ☐ No

Named in individual capacity? ☒ Yes ☐ No

2. Name of the second defendant: Staff Sergeant Vanden Bosch

Place of employment of the second defendant: Williamson County Jail

The second defendant's address: 408 Century Ct. Franklin, TN 37064

Named in official capacity? ☒ Yes ☐ No

Named in individual capacity? ☒ Yes ☐ No

III Parties To This Lawsuit

B. Defendant(s) continued

③ Name of 3rd defendant: Corporal Wiley

Place of employment of 3rd defendant: Williamson County Jail

The 3rd defendant's address: 408 Century Ct., Franklin, TN 37064

Named in official capacity: yes

Named in individual capacity: yes

④ Name of 4th defendant: Medical Staff

Place of employment of 4th defendant: Williamson County Jail

Address of 4th defendant: 408 Century Ct., Franklin, TN 37064

Named in official capacity: Yes

Named in individual capacity: Yes

If there are more than two defendants against whom you are bringing this lawsuit, you must list on a separate sheet of paper the name of each additional defendant, their place of employment, their address, and the capacity in which you are suing them. If you do not provide the names of such additional defendants, they will not be included in your lawsuit. If you do not provide their proper name, place of employment, and address, the Clerk will be unable to serve them should process issue.

IV. STATEMENT OF FACTS

State the relevant facts of your case as briefly as possible. Include the dates when the incidents or events occurred, where they occurred, and how each defendant was involved. Be sure to include the names of other persons involved and the dates and places of their involvement.

If you set forth more than one claim, number each claim separately and set forth each claim in a separate paragraph. Attach additional sheets, if necessary. Use 8-½ in. x 11-in. paper. Write on one side only, and leave a 1-in. margin on all four (4) sides.

While I was incarcerated at the Williamson County Jail, several of my constitutional + civil rights, + my rights under the TCA + ACA laws pertaining to jails + their inmates, were knowingly, willfully, intentionally, + maliciously violated.

I will prove, using inmate + staff testimony or statements, along with inmate records - both medical + personal - that the following counts, 1-16, are true + accurate.

I am suing the defendants under the color of law. I'm being held accountable for the laws I broke; the defendants need to be held accountable for their violations of the laws as well.

V. RELIEF REQUESTED: Specify what relief you are requesting against each defendant:

Count 1: Sexual Discrimination

I was treated unfairly due to my sexual orientation. I can show my punishments were more severe than any straight girls. I can also show a pattern, using other gay inmates and a gay officer, that the jail discriminates against gays.

Count 2: Verbal Harassment

I was verbally harassed by staff and inmates. The guards encouraged/instigated verbal harassment by other inmates.

Count 3: Failure to protect against sexual harassment/assault

I was harassed by guards because of my sexuality. I was harassed by an inmate and the guards wouldn't help me. It led to me being sexually assaulted. At this time, the guards separated my attacker and me for one (1) month. I was the one punished by being denied access to programs; she was not punished.

Count 4: Mental Health Distress

I became severely depressed and suicidal because of how the staff treated and lied to me. I'm still trying to level myself out.

Count 5: Unsanitary/Hazardous Living Conditions

The jail was infested with ants, roaches and brown recluse spiders but they wouldn't call pest control or let us do additional cleaning. The showers were moldy. The mops never got sanitized. We couldn't clean our cells after meals. Our toilets backed up into other toilets. Our chemical bottles were unlabeled. The showers backed up. Our intercoms didn't work for emergencies. The ceilings/windows leaked. No fire drills were done and there weren't fire extinguishers. Wire/cables were exposed. The cells had no key controls – a Fire/Safety hazard.

Count 6: Unsanitary Dining Conditions

Ants were on our trays and in our sandwiches. A Corporal said, "If you didn't want to eat the ants, you shouldn't have come to jail." Gloves and hairnets were never worn by guards, and only occasionally worn by inmates, when handing out our trays. In seg, we were forced to eat in dirty cells and not allowed to clean afterwards. Some of our foods and juices were served after their expiration dates. No cups were given for water. All we got to drink were three (3) juice boxes in 24 hours.

Count 7: Medical Neglect

Medical refused me alternate trays due to food allergies. Medical refused to treat my chronic conditions. They denied me care, resulting in my needing surgery and possibly a hysterectomy.

Count 8: Denied Exercise/Rec.

I was denied access to an outdoor rec. area. I was denied the required amount of time out of my cell. (per day/week)

Count 9: Denied Hygiene

I was denied the required amount of showers and clean uniforms a week. I was denied a bra, socks and underwear when I arrived. It's not safe to put my bare parts on used clothes, especially when detergent isn't used in the wash.

Count 10: Denied Legal Access

I was denied access to a phone to call my attorney. I was denied/restricted from the law library. I was pending a trial.

Count 11: ~~Denied Freedom of Speech~~

They opened all incoming and outgoing mail. They refused to send any letters that I complained about how I was being treated. They stopped all of my incoming and outgoing mail for thirty-five (35) days. They destroyed all mail that came in during that time, without notifying me or the senders.

Count 12: Denied my program Days

The jail offered two-for-ones. In order to get your two-for-one days, you had to work. I was there for 306 days and required to work every single day. They refuse my program days (2 for 1) but forced me to earn them.

Count 13: Poor HVAC and Lighting

The jail was poorly ventilated, resulting in malodorous conditions and extreme heat/cold. There was no fresh air and very little natural light.

Count 14: Denied Access to Rules/Policies

I requested a large-print copy of the rules and was denied. We have red lines painted on the floors 3' from the doors/windows. We cannot cross the red lines. The rules/policies were posted on the doors and windows but if we crossed the red line to read them, we got a write-up.

Count 15: Cruel and Unusual/Unjust Punishment

I was punished for letting the staff sergeant know I was being discriminated against. We got punished for writing grievances. I was punished for writing home about how I was mistreated.

We weren't given shoes/coats when taken outside in the cold/rain/snow to go to court. We weren't given proper clothing for the jail temperatures. We were denied water/ice even in extreme heat causing UTI's and heat exhaustion/dehydration. I was denied reading material in seg.

Count 16: Building not up to par

We were not provided with the required number of sinks, toilets and showers for the number of inmates. We were not provided with hot and cold water. We weren't given the required lighting - both natural and unnatural. The air quality was poor. The water was dirty/contaminated. The jail exceeded the "rated bed capacity" on numerous occasions. They put in extra beds (called the trailer park), which was a fire/safety hazard. These extra beds had no storage area for the inmates personal items and there weren't enough table/seats for the additional inmates to sit and eat at. They have yellow and orange arrows painted on the walls, but no explanation for them or the escape procedures for fire, etc.

A. Punitive, declaratory, & compensatory damages in the amount of \$24,750,000 (Twenty four million, seven hundred and fifty thousand dollars)

B. 306 program days credited to my sentence

C. All attorney & court fee's

D. Any additional fees or compensation deemed appropriate by the court

E.

F. I request a jury trial.

☒ Yes

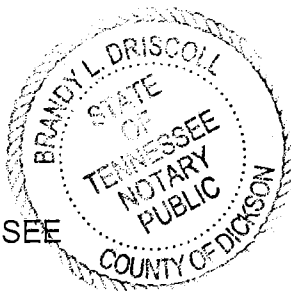
☐ No

VI. CERTIFICATION

I (We) hereby certify under penalty of perjury that the above petition is true to the best of my (our) information, knowledge and belief.

Signed this 29th day of December, 2010.

Julie Ann Dutger 467390
1W-C15
3881 Stewarts Ln.
Nashville, TN 37218
(Signature and address of Plaintiff (s))



STATE OF TENNESSEE

COUNTY OF DICKSON

Sworn to and before me this 29th day of December, in the year of 2010.

Buffy Engel
Notary Public

My commission expires: 8/20/11

